

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES of AMERICA )  
 )  
vs. ) No. 05-CR-30020 MAP  
 )  
EDDIE SANTIAGO )

**MOTION FOR DOWNWARD DEPARTURE**

Now comes the defendant, Eddie Santiago, by and through counsel and moves this Honorable court for a downward departure from the United States Sentencing Commission Guidelines, pursuant to 5H1.3, 5H1.4, 5H1.6, 5K2.0 and Title 18 U.S.C. § 3553 (b)(1), and as his basis, therefore, asserts the following;

1. The existence of mitigating circumstances 5K2.0(1)(A);
2. The existence of circumstances not adequately taken into consideration by the United States Sentencing Commission. 5K2.0(a)(A)(B);
3. Departure based upon circumstances present to a degree not adequately taken into consideration by the United States Sentencing Commission; 5K2.0(3);
4. Departure based upon other circumstances not ordinarily relevant but present to an exceptional degree. 5K2.0(4)1, 5H1.3, 5H1.4, 5H1.6).

This motion is supported by an accompanying sentencing memorandum, and a supporting report to be submitted separately under seal.

Respectfully submitted,

DEFENDANT

BY: /s/ Vincent A.Bongiorri, Esq.  
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CERTIFICATE OF SERVICE

I, Vincent A. Bongiorni, Esq., do hereby certify that I have served a copy of the foregoing via CM/ECF to the United States District Attorney, Federal Building & Courthouse, 1550 Main Street, Springfield, MA 01103 this 10 day of August 2007.

/s/ Vincent A. Bongiorni